

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|--|---|---------------------|
| PABLO BATISTA <i>Plaintiff</i> | : | CIVIL ACTION |
| | : | |
| | : | NO. 18-0636 |
| v. | : | |
| | : | |
| O'JAYS GIGS, INC., et al. <i>Defendant</i> | : | |

ORDER

AND NOW, this 14th day of January 2019, a review of the docket reveals that Plaintiff has failed to comply with this Court's December 7, 2018 Notice, which required Plaintiff serve the summons and complaint upon Defendant Eric Nolan Grant by December 21, 2018. [ECF 14]. Therefore, pursuant to Federal Rule of Civil Procedure 4(m), it is hereby **ORDERED** that this action is **DISMISSED** *only* as to Defendant Eric Nolan Grant, without prejudice.

BY THE COURT:

/s/ Nitza I. Quiñones Alejandro

NITZA I. QUIÑONES ALEJANDRO

Judge, United States District Court